

§ 1404.18

briefs and lengthy opinions streamline the process.

[70 FR 76399, Dec. 27, 2005]

§ 1404.18 Procedures for requesting expedited panels.

(a) With the excepting of the specific changes noted in this Subpart, all FMCS rules and regulations governing its arbitration services shall apply to Expedited Arbitration.

(b) Upon receipt of a joint Request for Arbitration Panel (Form R-43) indicating that both parties desire expedited services, the OAS will refer a panel of arbitrators.

(c) A panel of arbitrators submitted by the OAS in expedited cases shall be valid for up to 30 days. Only one panel will be submitted per case. If the parties are unable to mutually agree upon an arbitrator or if prioritized selections are not received from both parties within 30 days, the OAS will make a direct appointment of an arbitrator not on the original panel.

(d) If the parties mutually select an arbitrator, but the arbitrator is not available, the parties may select a second name from the same panel or the OAS will make a direct appointment of another arbitrator not listed on the original panel.

[62 FR 48949, Sept. 18, 1997, as amended at 70 FR 76400, Dec. 27, 2005]

§ 1404.19 Arbitration process.

(a) Once notified of the expedited case appointment by the OAS, the arbitrator must contact the parties within seven (7) calendar days.

(b) The parties and the arbitrator must attempt to schedule a hearing within 30 days of the appointment date.

(c) Absent mutual agreement, all hearings will be concluded within one day. No transcripts of the proceedings will be made and the filing of post-hearing briefs will not be allowed.

(d) All awards must be completed within seven (7) working days from the hearing. These awards are expected to be brief, concise, and not required extensive written opinion or research time.

29 CFR Ch. XII (7–1–10 Edition)

§ 1404.20 Proper use of expedited arbitration.

(a) FMCS reserves the right to cease honoring request for Expedited Arbitration if a pattern of misuse of this becomes apparent. Misuse may be indicated by the parties' frequent delay of the process or referral of inappropriate cases.

(b) Arbitrators who exhibit a pattern of unavailability of appointments or who are repeatedly unable to schedule hearings or render awards within established deadlines will be considered ineligible for appointment for this service.

[62 FR 48949, Sept. 18, 1997. Redesignated at 70 FR 76400, Dec. 27, 2005]

APPENDIX TO 29 CFR PART 1404—ARBITRATION POLICY; SCHEDULE OF FEES

Annual listing fee for all arbitrators: \$100 for the first address; \$50 for the second address
Request for panel of arbitrators processed by FMCS staff: \$50

Request for panel of arbitrators on-line: \$30.00

Direct appointment of an arbitrator when a panel is not used: \$20.00 per appointment

List and biographic sketches of arbitrators in a specific area: \$25.00 per request plus \$.25 per page.

[68 FR 10659, Mar. 6, 2003]

EFFECTIVE DATE NOTE: At 75 FR 30706, June 2, 2010, appendix to part 1404 was amended by removing “\$100” and adding “\$150” in its place, effective July 2, 2010.

PART 1405—PART-TIME EMPLOYMENT

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AUTHORITY: Pub. L. 95–437, Federal Employees Part-time Career Employment Act of 1978.